

BEFORE THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF)
THE GNAW BONE REGIONAL)
SEWAGE DISTRICT'S PETITION)
TO AMEND ITS FORMATION ORDER)

PETITION TO MODIFY ORDER ESTABLISHING DISTRICT

COMES NOW the Gnow Bone Regional Sewage District (hereinafter "the District"), pursuant to I.C. 13-26-1-2, and petitions the Indiana Department of Environmental Management (hereinafter "the Department") to modify the order by which the District was formed by modifying the method by which the District's board members are chosen to serve on the board from appointments made by the county commissioners to nomination and election of board members by the District's ratepayers. In support of this Petition, the District would show the Department as follows:

1. The District was organized and created in the State of Indiana, County of Brown, by Order of the Department on or about January 23, 1998 for the purpose of the collection, treatment and disposal of sewage within the District.

2. The District's board of director's consists of three (3) members. Each member serves a four (4) year term on the board.

3. That the current Order that the District operates under provides that board members shall be appointed by the county commissioners. Board members have been selected in this manner since the District was established.

4. The District board has determined that in order to provide for the more efficient operations of the District and to provide the ratepayers of the District with the means within which to determine who should represent them that board members should be elected by the ratepayers of the District.

5. The District accordingly requests the Department to modify the District's formation order so that the portion of the formation order pertaining to appointment of board members states as follows:

- 1) Board members shall be nominated and elected at large by the ratepayers in the District.
- 2) The election of board members shall be held in accordance with guidelines promulgated by the Indiana Department of Environmental Management, or if no guidelines exist, in accordance with procedures adopted by the district board.
6. The District does not seek to modify the formation order in any other respect.

7. That on June 3, 2019 the District board of directors approved Resolution No. 2019-01 authorizing the preparation and filing of this petition in compliance with I.C. 13-26-1-2(a). A true and correct copy of said resolution is attached to this Petition, marked as Exhibit A.


8. The District hereby authorizes the Department to contact Board Attorney, John Young, or Board President David Hess for the purposes of acting on behalf of the District and responding to inquiries and additional information requests presented by the Department for purposes of its review and consideration of this Petition.

WHEREFORE, the Gnaw Bone Regional Sewage District respectfully requests that the Indiana Department of Environmental Management authorize a modification to the District's formation order as set out herein, and for all other relief just and proper in the premises.

Respectfully submitted,

Gnaw Bone Regional Sewage District
Board of Directors

Respectfully submitted,



John T. Young, Esq.